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#9

Francis J. Hone
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In re Application of
Shinji KAMEI : DECISION ON
Serial No.: 08/973,564 :
PCT No.: PCT/JP96/01622 : PETITION
Int. Filing Date: 07 May 1996 :
Priority Date: 16 June 1995 : UNDER 37 C.F.R. §1.47(b)
Attorney's Docket No.: 31425PCT/USA :
For: SEMICONDUCTOR DEVICE, IC
CARD UTILIZING THE SAME AND
COMMUNICATION SYSTEM : :

This decision is in response to applicants' "RENEWED PETITION UNDER 37 C.F.R. 1.47(b)," filed on 15 March 1999, requesting acceptance of the above-captioned United States of America national stage application without the signature of the sole inventor, Shinji KAMEI. No additional petition fee is required for the renewed petition under 37 CFR 1.47(b).

BACKGROUND

On 22 December 1998, the Office dismissed applicants' petition filed 11 December 1998, on the grounds that the papers filed on 03 March 1998 do not clearly establish that Mr. KAMEI assigned the instant application to Rohm Co., Ltd. Specifically, it was not clear that either of the assignments submitted by petition is directed to the instant application.

On 15 March 1999, applicant submitted the instant petition requesting acceptance of the above-captioned United States of America national stage application without the signature of the sole inventor. The renewed petition under 37 CFR 1.47(b) includes a second supplemental Declaration from Harou Hagimori which establishes that the Assignments submitted with the original Petition relate to the Japanese applications upon which the present application is based and includes the subject matter of the present application. As described in Mr. Hagimori's Declaration, the Assignment documents submitted with the original petition relate to two invention disclosures having Company Receipt Numbers 95-00287 and 95-00749. When the Japanese patent applications for those inventions were prepared and filed, the Japanese attorney provided a more comprehensive title for each of the inventions. When the PCT application based on both Japanese applications was prepared and filed, the titles for the priority applications were combined to form the PCT title which is the same as that used in the

United States application.

DISCUSSION

The evidence of record is sufficient to establish that Mr. KAMEI assigned the instant application to Rohm Co., Ltd. Accordingly, acceptance of the application under 37 CFR 1.47(b) is appropriate.

DECISION

For the reasons discussed above, the renewed petition for status under 37 CFR 1.47(b) is GRANTED.

The United States Designated/Elected Office (US/DO/EO) is authorized to accept the application as a 37 C.F.R. §1.47(b) application and to mail a Filing Receipt. The application will be given an international filing date of 07 May 1996 under 35 U.S.C. §363, and a date of 03 March 1998 under 35 U.S.C. §371(c) and §102(e).

As provided in 37 C.F.R. §1.47(b), a notice of the filing of this application will be forwarded to the non-signing inventor at his last known addresses of record.

The application is being returned to the United States Designated/Elected Office for mailing a Notification of Acceptance of Application (Form PCT/DO/EO/903) identifying a 35 U.S.C. §371 and §102(e) date of 03 March 1998.



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03 FEB 2000



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

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In re Application of
Shinji KAMEI
Application No.: 08/973,564
PCT No.: PCT/JP96/01622
Int. Filing Date: 13 June 1996
Priority Date: 16 June 1995
For: SEMICONDUCTOR DEVICE, IC CARD UTILIZING SAME AND COMMUNICATION
SYSTEM

Dear Mr. KAMEI:

You are named as an inventor in the above identified United States patent application, filed under the provisions of 37 CFR 1.47(b) and 35 U.S.C. 118. Should a patent be granted, you will be designated as an inventor.

As a named inventor, you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or to make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent agent or attorney presenting written authorization from you. If you care to join in the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

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